

REMARKS

The Examiner has focused on the features and the functioning of the screen (i.e. the only screen at the top/bottom) and its releasability upon opening. However, the absence of side screens, in combination with the top/bottom screen, provides technical advantages for the present invention, i.e. the same screening effect is obtained without the disadvantages of the prior art screens. This is also clear from the specification, page 3, lines 1-7. The interface arrangements at the sides mentioned in the present application are sealing means, screening means 27 and 28, and a sealing cooperation obtained by a suitable design for the frame and the sash. In this respect it is important to note that such arrangements do not protrude from the plane of the frame or sash, i.e. they are not visible in the ventilating position of the window. Neither do they restrict the movement of the sash. For instance, such arrangements can be in the form of gaskets or other seals that are present at the sides of the frame and/or the sash.

Reconsideration of the rejection of claims 18, 19 and 37 under 35 USC 102 as being anticipated by Persson is respectfully requested. By the present Amendment, claims 18 and 37 have been amended to recite not only “wherein said at least one screening element is provided exclusively at the top and/or bottom member of the sash and the frame”, but also “the interface between each of the frame side members and the corresponding sash side members being devoid of screening elements that extend as the window moves from the closed position to the ventilating position”. In Persson, the interface between each of the frame side members and the corresponding sash side members are not devoid of screening elements that extend as the window moves from the closed position to the ventilating position. Instead, the interface between each of the frame side members and the corresponding sash side members of Persson has screening elements 7, 8 that extend as the window moves from the closed position to the

ventilating position.

Furthermore, by the present Amendment, claims 18 and 37 have been amended to recite what the interface between each of the frame side members and the corresponding sash side members is. More specifically, claims 18 and 37 have been amended to recite “wherein the interface between each of the frame side members and the corresponding sash side members comprises an arrangement selected from the group consisting of a) sealing means mounted on one of i) the sash side member, wherein the sealing means is positioned entirely between the inner and outer surfaces of the frame side member when the sash has not been moved beyond the ventilating position in a direction away from the closed position and ii) the frame side member, wherein the sealing means is positioned entirely between the inner and outer surfaces of the sash side member when the sash has not been moved beyond the ventilating position in a direction away from the closed position, b) an interface screening element mounted between the at least one screening element and the adjacent frame side member, wherein the interface screening element is mounted on one of i) the sides of the at least one screening element, between the inner and outer surfaces of the adjacent frame side member, and ii) the adjacent frame side member, between the inner and outer surfaces of the frame side member, and c) a sealing cooperation of the sash side members themselves with the corresponding frame side members themselves, wherein the sash side members are in sealing cooperation with the corresponding frame side members when the sash is in the ventilating position”. Thus, the interface arrangement is one of a) sealing means, b) an interface screening element and c) a sealing cooperation of the sash side members themselves with the corresponding frame side members themselves.

The sealing means is described in the last paragraph on page 15 of the specification, the last two paragraphs on page 17, and the first paragraph on page 18, and seals 27 are shown in

Fig. 7, 10 and 11. The interface screening element is described in the second paragraph on page 18 of the specification, and the interface screening elements 28 are shown in Fig. 12. The sealing cooperation of the sash side members with the corresponding frame side members is described on page 10, lines 14-24.

Claims 18 and 37, as amended, do not merely recite that the interface between each of the frame side members and the corresponding sash side members consists essentially of an arrangement selected from the group consisting of a) sealing means, b) an interface screening element and c) a sealing cooperation of the sash side members themselves with the corresponding frame side members themselves, but rather recites the sealing means, the interface screening element and the sealing cooperation with greater specificity. With respect to the sealing means, claims 18 and 37, as amended, recite the sealing means being mounted on one of i) the sash side member, wherein the sealing means is positioned entirely between the inner and outer surfaces of the frame side member when the sash has not been moved beyond the ventilating position in a direction away from the closed position and ii) the frame side member, wherein the sealing means is positioned entirely between the inner and outer surfaces of the sash side member when the sash has not been moved beyond the ventilating position in a direction away from the closed position. This can be appreciated from, for example, Figs. 7, 10 and 11. As is also recited in claims 18 and 37, the at least one screening element releases from engagement with the corresponding frame or sash member in response to the sash being moved beyond the ventilating position in a direction away from the closed position. As is clear from Fig. 1 of Persson, the screen members 7 and 8 of Persson are not, in the terms of claims 18 and 37, entirely between the inner and outer surfaces of either the frame side member or the sash side member when the sash has not been moved beyond the ventilating position in a direction

away from the closed position.

With respect to the second-recited interface arrangement, the interface screening element of claims 18 and 37 is recited more specifically as "an interface screening element mounted between the at least one screening element and the adjacent frame side member, wherein the interface screening element is mounted on one of i) the sides of the at least one screening element, between the inner and outer surfaces of the adjacent frame side member, and ii) the adjacent frame side member, between the inner and outer surfaces of the frame side member". Persson does not disclose an interface screening element between either of the screen members 7 and 8 and the adjacent frame side member.

With respect to the third-recited interface arrangement, the sealing cooperation of claims 18 and 37 is recited more specifically as "a sealing cooperation of the sash side members themselves with the corresponding frame side members themselves, wherein the sash side members are in sealing cooperation with the corresponding frame side members when the sash is in the ventilating position". The sash side members of Persson are not in sealing cooperation with the corresponding frame side members when the sash is in the ventilating position.

Reconsideration of the rejection of claims 20-23, 29 and 36 under 35 USC 103 as being unpatentable over Persson in view of MacDonald is respectfully requested for at least the reason that these claims depend on claim 18, and MacDonald does not make up for the deficiencies of Persson described above. Reconsideration of this rejection is also requested for the reasons presented in the previous Amendment in the application.

Reconsideration of the rejection of claims 31-34 under 35 USC 103 as being obvious over the Persson reference in view of the Camara reference also is respectfully requested for at least the reason that claims 31-34 depend, at least ultimately, on independent claim 18, and the

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Camara reference fails to overcome the deficiencies of the Camara reference with respect to claim 18 that were described above. In fact, Camara reinforces the deficiencies of the Persson reference that the recitation of claim 18 of the interface between each of the frame side members and the corresponding sash side members of Camara are not devoid of screening elements that extend as the window moves from the closed position to the ventilating position, in view of the screen portions 17a, 17c provided at side members of the sash and the frame of Camara.

In view of the foregoing, it is submitted that all of the claims are allowable and that the application is in condition for allowance. An early notice to that effect is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0562.

Respectfully submitted,

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